

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

David MARKS

Application No.: 10/541,740

Filed: July 5, 2005

For: PESTICIDAL COMPOSITIONS

Confirmation No.: 3889

Examiner: Not Yet Assigned

Art Unit: Not Yet Assigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

---

Sir:

The references cited on attached form PTO/SB/08A are being called to the attention of the Examiner. Copies of the references [in compliance with the requirements of 37 CFR §1.98(a)(2)] are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

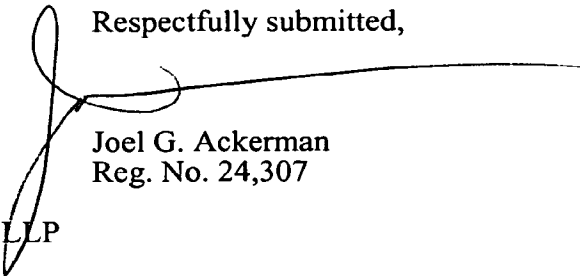
Also enclosed are copies of the Search/Examination reports corresponding to the PCT and Great Britain applications.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,




Joel G. Ackerman  
Reg. No. 24,307

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 415-576-0200  
Fax: 415-576-0300  
JA:mtd  
60756463 v1

Substitute for form 1449A&B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/541,740
				Filing Date	July 5, 2005
				First Named Inventor	MARKS, David
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	1	of	2	Attorney Docket Number	084706-000000US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
/C.B./	AA	US-6,251,440 B1	06-26-2001	Ryan et al.	
↓	AB	US-2001/0055628 A1	12-27-2001	Hsu et al.	
	AC	US-2002/0102281 A1	08-01-2002	Auberger et al.	
	AD	US-6,444,458 B1	09-03-2002	Singh et al.	
	AE	US 2002/0136789 A1	09-26-2002	Singh et al.	
	AF	US-2003/0064119 A1	04-03-2003	Emerson	
	AG	US-6,548,085 B1	04-15-2003	Zobitne et al.	
	AH	US-6,849,614 B1	02-01-2005	Besette et al.	
↓	AI	US-2005/0214337 A1	09-29-2005	McGee et al.	
	AJ	US-2005/0260239 A1	11-24-2005	Bencsits	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
/C.B./	1	WO	00/64265	A2	11-02-2000			<input type="checkbox"/>
	2	WO	01/91556	A2	12-06-2001			<input type="checkbox"/>
	3	WO	01/91560	A3	12-06-2001			<input type="checkbox"/>
	4	WO	03/001912	A1	01-09-2003			<input type="checkbox"/>
	5	WO	03/033008	A1	04-24-2003			<input type="checkbox"/>
	6	WO	04/006679	A2	01-22-2004			<input type="checkbox"/>
	7	WO	05/058364	A2	06-30-2005			<input type="checkbox"/>
	8	EP	0583774	A1	02-23-1994			<input type="checkbox"/>
	9	EP	1036499	A1	09-20-2000			<input type="checkbox"/>
	10	CH	688787	A5	03-31-1998			<input type="checkbox"/>

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>

Examiner Signature	/Courtney Brown/	Date Considered	02/04/2009
--------------------	------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A&B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/541,740
				Filing Date	July 5, 2005
				First Named Inventor	MARKS, David
				Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	084706-000000US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/C.B./	11	ANGELINI, Luciana G. et al.; "Essential Oils from Mediterranean Lamiaceae as Weed Germination Inhibitors"; 2003, <u>J. Agric. Food Chem.</u> , Vol. 51, pp. 6158-6164.	<input type="checkbox"/>
/C.B./	12	DAFERERA, Dimitra J. et al.; "The effectiveness of plant essential oils on the growth of <i>Botrytis cinerea</i> , <i>Fusarium</i> sp. and <i>Clavibacter michiganensis</i> subsp. <i>michiganensis</i> "; 2003, <u>Crop Protection</u> , Vol. 22, pp. 39-44.	<input type="checkbox"/>
/C.B./	13	GIL, A. et al.; "Essential oil yield and composition of <i>Tagetes minuta</i> accessions from Argentina"; 2000, <u>Biochemical Systematics and Ecology</u> , Vol. 28, pp. 261-274.	<input type="checkbox"/>
/C.B./	14	Database Biosis Online: Biosciences Information Service, Database accession no. PREV199800083937 abstract, XP002323190, 1 page.	<input type="checkbox"/>
/C.B./	15	Database Biosis Online: Biosciences Information Service, Database accession no. PREV200300124420 abstract, XP002323191, 2 pages.	<input type="checkbox"/>
/C.B./	16	Database WPI: Section Ch, week 199918, Class C03, AN 1999-205420, abstract, XP002323192, 1 page.	<input type="checkbox"/>

Examiner Signature	/Courtney Brown/	Date Considered	02/04/2009
--------------------	------------------	-----------------	------------

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.